APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,330	03/06/2001	Dwayne Dames	6169-143	2967

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AKERMAN SENTERFITT
P. O. BOX 3188
WEST PALM BEACH, FL 33402-3188

EXAMINER
NGUYEN, DANG T

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application N●	Applicant(s)
Office Action Summary		09/800,330	DAMES ET AL.
		Examiner	Art Unit
		Dang T Nguyen	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 March 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-32_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-32_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _06 March 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: the Application and the Information

Disclosure Statement filed on Mar. 6, 2001.

2.   Claims 1 - 32, are pending in this case. Claims 1, 13, 14, and 22 are independent

claims.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

In claim 1, "formatting said data using a different markup language"; appears

indefinite, since no other "markup" language is mentioned in the claim.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 4, 8 - 10, 12, and 22-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al., Pub. No.: US 2001/0042083 A1 – Pub. Date: Nov. 15, 2001.

Regarding independent claim 1, Fig. 5 Saito et al. discloses a method for converting formatted content (lines 6 - 11 of paragraph [0045]) comprising: identifying a template which corresponds to a specified document (lines 13 - 19 of paragraph 0043]), said specified document including said formatted content (lines 6 - 11 of paragraph 0045); applying said template to said specified document, said application extracting data from said formatted content (lines 21 - 22 of paragraph 0043); and formatting said data using a different markup language (lines 12 - 22 of paragraph 0042); wherein said formatting produces a second document (lines 12 - 15 of paragraph 0042).

Regarding dependent claim 2, wherein said extracted data is unformatted data (lines 17 - 22 of paragraph 0041 disclosing extracting "free formatted" information of document image and "free formatted" that is another term for "unformatted").

Regarding dependent claim 3, Fig. 4 of Saito et al. further comprising: receiving a content request, said content request specifying a network location from which said specified document can be retrieved; and, retrieving said specified document from said network location (paragraph 0039).

Regarding dependent claim 4, Saito et al. further comprising: presenting said second document through a user interface (lines 15 - 24 of paragraph 0039).

Regarding dependent claim 8, Saito discloses wherein said formatted content is formatted using a markup language selected from the group consisting of hypertext

markup language (HTML), extensible markup language (XML), standard generalized

markup language (SGML), wireless markup language (WML), handheld device markup

language (HDML), and VoiceXML (pages 3-4, paragraphs [0042-0045]).

Regarding dependent claim 9, the claim incorporated substantially same

subject matter as claim 8, and rejected along the same rationale.

Regarding dependent claim 10, Saito discloses wherein said different markup

language is selected from the group consisting of hypertext markup language (HTML),

extensible markup language (XML), standard generalized markup language (SGML),

wireless markup language (WML), handheld device markup language (HDML), and

VoiceXML (paragraph 0042).

Regarding dependent claim 12, Saito discloses wherein said second

document and said specified document are of a different modality (See lines 12 - 22 of

paragraph 0042 for document output with markup languages formatted, and See lines 4

- 9 of paragraph for specified document with formatted data generated by word

processing application program).

Regarding independent claim 22, recite a machine readable storage, having

stored thereon a computer program having a plurality of code sections executable by a

machine which is equivalent to the method of claim 1 and is similarly rejected, as above.

Regarding dependent claims 23-32, the claims incorporate substantially

similar subject matter as claims 3-12, and are rejected along the same rationale.

Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Cuomo et al.

U.S. Patent No. 6,286,043 B1 – filed Aug. 26, 1998.

Regarding independent claim 13, Fig. 4 of Cuomo et al. discloses method of

configuring a content converter comprising: determining at least one data location within

at least one specified document containing formatted content (Fig. 5B [522, 523,

525, 528]); constructing at least one template having one or more content markers (Fig.

5A <!--*,-->, <!--**,--> which correspond to said data location (Fig. 5A, Col. 8 lines 44 -

53), each said template corresponding to a specified document (Col. 8 lines 54 - Col. 9

line 15); and mapping said templates to said specified documents using a template

table (Fig. 4[410] Col. 7 lines 30 - 32).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Saito et al., Pub. No.: US 2001/0042083 A1 - in view of Applicant Admitted

Prior Art (AAPA).

Regarding dependent claim 5, Saito et al. as applied to claim 4 above,

disclosed every aspect of applicant's claimed invention except for said user interface is

a speech interface.

The Background of the application (AAPA, on page 3 lines 4-9) discloses a service for providing data from the Internet, the data being referred to as content to an end user through a speech interface.

Saito et al. and AAPA are common subject matter of Internet communication. It would have been obvious to one having ordinary skill in the at the time the invention was made to incorporated speech interface taught by AAPA into Saito's formatter for the purpose of providing users an intuitive, hands-free method, as well as an eyes-free method, of obtaining Internet content (AAPA, page 3 lines 8 - 11).

Regarding dependent claim 11, Saito et al. as applied to claim 1 above, disclosed every aspect of applicant's claimed invention except for wherein said different markup language is voice extensible markup language (VoiceXML).

The Background of the application (AAPA, on page 3 line 12 - 20) discloses voice extensible markup language (VoiceXML) which is a different markup language.

Saito et al. and AAPA are common subject matter of Internet communication. Therefore, it would have been obvious to one having ordinary skill in the at the time the invention was made to incorporate VoiceXML taught by AAPA into Saito's formatting data for the purpose of providing format data for presentation through a speech interface (AAPA, on page 3 lines 12 - 13).

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al., Pub. No.: US 2001/0042083 A1 - in view of Patel, Pub. No. US 2002/0107881 A1 – Pub. Date: Aug. Date: Aug. 8, 2002.

Regarding dependent claims 6 and 7, Saito et al. as applied to claim 1

above, disclosed every aspect of applicant's claimed invention except for wherein said

extracting data comprises reading data in said formatted content from an offset within

said specified document, said offset identified by a content marker within said template.

Fig. 4 Steps 76 and 78 of Patel discloses the index offset value to indicate the

location of identified delimiters [identified by a contain marker] in the formatted

document (page 2 paragraph [0012] and page 5, paragraph [0038] lines 1-7)

Saito et al. and Patel are analogous because they both related to formatted

document. Therefore, it would have been obvious to one having ordinary skill in the art

at the time the invention was made to incorporate Patel's offset into Saito's extracting

information from documents, since Petel taught the benefit by pointing out that the index

of offset values for extracting specific data provide a more benefit of avoiding the time

previously required to search the document for the requested element and facilitating

extraction of specific data elements than the extracting document of Saito without offset

values (page 3 paragraph [0026] lines 16-19 and page 2 paragraph [0010] lines 7-8).

Claims 14 - 19, and 21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Saito et al., Pub. No.: US 2001/0042083 A1 – Pub. Date: Nov. 15,

2001 in view of Fox et al., Pub. No.: US2002/0116421 A1 – Pub. Date: Aug. 22,

2002.

Regarding independent claim 14, Saito discloses one or more templates for

extracting data from formatted content in said documents, each said templates

corresponding to at least one document; a table of said templates associating said

templates with said corresponding documents (Fig. 5, page 3 and 4, paragraph [0043]);

Saito fails to disclose a buffer for receiving documents formatted in a first markup

language; and a formatter for formatting said data using a second markup language.

Fox et al. discloses a buffer (page 11, paragraph [0220] lines 25-27) for receiving

document formatted in a first markup language (page 8, paragraph [0111]); and a

formatter for formatting said data using a second markup language (Figs. 2B and 2C,

page 7, paragraph [0106 and 0107]).

Saito and Fox et al. are analogous because they both related to formatted

documents. Therefore, it would have been obvious to one having ordinary skill in the at

the time the invention was made to incorporate Fox's XML converter into Saito's

template for the purpose of providing a method and system for the presentation and

display of computer information that provides a conversion of text written in HTML, or a

standard word processing text format, into an XML format with multi-page display

formatting features (page 3, paragraph [0060]).

Regarding dependent claim 15, Saito et al. discloses wherein said templates

have at least one content marker for locating data within said formatted content (page 5,

paragraph [0050] lines 7-10).

Regarding dependent claim 16, Saito et al. discloses wherein said content

marker has an identifier for identifying data within said formatted content (page 1,

paragraph [0002] lines 5-14).

Regarding dependent claim 17, Saito discloses wherein said formatted content

is formatted using a markup language selected from the group consisting of hypertext

markup language (HTML), extensible markup language (XML), standard generalized

markup language (SGML), wireless markup language (WML), handheld device markup

language (HDML) (pages 3 – 4, paragraphs [0042-0045]).

Regarding dependent claim 18, Saito discloses formatted content is hypertext markup

language (HTML) formatted content (pages 3 – 4, paragraphs [0042-0045]).

Regarding dependent claim 19, Saito discloses wherein said different markup

language is selected from the group consisting of hypertext markup language (HTML),

extensible markup language (XML), standard generalized markup language (SGML),

wireless markup language (WML), handheld device markup language (HDML), and

VoiceXML (page 3 paragraph [0042]).

Regarding dependent claim 21, Saito discloses wherein said second document

and said specified document are of a different modality (See lines 12 - 22 of paragraph

0042 for document output with markup languages formatted, and See lines 4 - 9 of

paragraph for specified document with formatted data generated by word processing

application program).

**Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Saito et al., Pub. No.: US 2001/0042083 A1 – Pub. Date Nov. 15, 2001 in view of

Fox et al., Pub. No.: US2002/0116421 A1 – Pub. Date: Aug. 22, 2002, and further

view of Applicant Admitted Prior Art (AAPA).**

Regarding dependent claim 20, Saito and Fox et al. as applied to claim 14

above, disclosed every aspect of applicant's claimed invention except for wherein said

different markup language is voice extensible markup language (VoiceXML).

The Background of the application (AAPA, on page 3 line 12 - 20) discloses

voice extensible markup language (VoiceXML) which is a different markup language.

Saito et al. and AAPA are common subject matter of Internet communication. It

would have been obvious to one having ordinary skill in the at the time the invention

was made to incorporate VoiceXML taught by AAPA into Saito's formatter for the

purpose of providing format data for presentation through a speech interface (AAPA, on

page 3 lines 12 - 13).

Prior art

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Krishna et al.	Patent No. US 6,055,522	Date of Patent: Apr. 25, 2000
Robertson et al.	Patent No. US 6,507,410	Date of Patent: Jan. 14, 2003
Iwai et al.	Patent No. US 5,119,491	Date of Patent: Jun. 2, 1992
Ferrel et al.	Patent No. US 5,860,073	Date of Patent: Jan. 12, 1999

Contact Information

7.   Any inquiry concerning this communication from the examiner should be directed

to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact

times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's

supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist, whose telephone number is (703)

305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

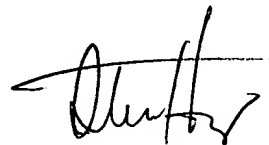(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

STEPHEN S. HONG
PRIMARY EXAMINER

Dang Nguyen 5/26/2004